

Certification of Judgment (AO 451 Rev - DC 9/29/03)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHN FLYNN, et al.

Plaintiff(s)

v.

JANYK TILE & MARBLE, INC.

Defendant(s)

FILED: JUNE 24, 2008

LI

08CV3616

JUDGE GETTLEMAN

MAGISTRATE JUDGE NOLAN

Civil Action No. 07-cv-01416-HHK

**CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN ANOTHER DISTRICT**

I, NANCY MAYER-WHITTINGTON, Clerk of this United States District Court certify that the attached judgment is a true and correct copy of the original judgment entered in this action on May 08, 2008, as it appears in the records of this court, and that:

- ☒ No notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.
- ☐ No notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure have been disposed of, the latest order disposing of such a motion having been entered on _____.
- ☐ An appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on _____.
- ☐ An appeal was taken from this judgment and the appeal was dismissed by order entered on _____.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

June 12, 2008.

NANCY MAYER-WHITTINGTON, Clerk

By: Joakim Francis
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOHN FLYNN, JAMES BOLAND, GERALD O'MALLEY,)
KEN LAMBERT, GERALD SCARANO, H.J. BRAMLETT,)
EUGENE GEORGE, PAUL SONGER, CHARLES VELARDO,)
MATTHEW AQUILINE, GREGORY R. HESS, MICHAEL)
SCHMERBECK, VINCENT DELAZZERO AND BENJAMIN)
CAPP, as Trustees of, and on behalf of, the BRICKLAYERS &)
TROWEL TRADES INTERNATIONAL PENSION FUND, and)
JIM ALLEN, MATTHEW AQUILINE, LON BEST, JAMES)
BOLAND, TED CHAMP, RAYMOND CHAPMAN, VINCENT)
DELAZZERO, BRUCE DEXTER, JOHN FLYNN, EUGENE)
GEORGE, GREGORY HESS, FRED KINATEDER, DAN)
KWIATKOWSKI, KEN LAMBERT, SANTO LANZAFAME,)
DICK LAUBER, WILLIAM MCCONNELL, EDWARD) CASE NO.
NAVARRO, GERALD O'MALLEY, JOHN PHILLIPS,)
CHARLES RASO, MARK ROSE, KEVIN RYAN, GERARD)
SCARANO, MICHAEL SCHMERBECK, PAUL SONGER,)
JOSEPH SPERANZA, and FRED VAUTOUR, as Trustees of, and)
on behalf of, the INTERNATIONAL MASONRY INSTITUTE,)

Plaintiffs,

vs.

JANYK TILE & MARBLE, INC.

Defendant.

FILED: JUNE 24, 2008

LI

08CV3616

JUDGE GETTLEMAN

MAGISTRATE JUDGE NOLAN

NOTICE OF REGISTERING FOREIGN JUDGMENT

To: Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

Myron Janyk, Reg. Agent
Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

PLEASE TAKE NOTICE that on June 24, 2008, judgment creditors **JOHN FLYNN, JAMES BOLAND, GERALD O'MALLEY, KEN LAMBERT, GERALD SCARANO, H.J. BRAMLETT, EUGENE GEORGE, PAUL SONGER, CHARLES VELARDO, MATTHEW AQUILINE, GREGORY R. HESS, MICHAEL SCHMERBECK, VINCENT DELAZZERO** and **BENJAMIN CAPP**, as Trustees of, and on behalf of, the **BRICKLAYERS & TROWEL TRADES INTERNATIONAL PENSION FUND**, and **JIM ALLEN, MATTHEW AQUILINE, LON BEST, JAMES BOLAND, TED CHAMP, RAYMOND CHAPMAN, VINCENT DELAZZERO, BRUCE DEXTER, JOHN FLYNN, EUGENE GEORGE, GREGORY HESS, FRED KINATEDER, DAN KWIATKOWSKI, KEN LAMBERT, SANTO LANZAFAME, DICK LAUBER, WILLIAM MCCONNELL, EDWARD NAVARRO, GERALD O'MALLEY, JOHN PHILLIPS, CHARLES RASO, MARK ROSE, KEVIN RYAN, GERARD SCARANO, MICHAEL SCHMERBECK, PAUL SONGER, JOSEPH SPERANZA**, and **FRED VAUTOUR**, as Trustees of, and on behalf of, the **INTERNATIONAL MASONRY INSTITUTE**, by their attorneys, **PAUL T. BERKOWITZ & ASSOCIATES, LTD.**, caused to be registered in the United States District Court for the Northern District of Illinois, Eastern Division, a Judgment entered/ rendered in favor of the judgment creditors against judgment debtor **JANYK TILE & MARBLE, INC.** in the United States District Court For The District of Columbia, Case No. 07-1416 (HHK), which Judgment was entered on May 8, 2008, in the cumulative sum of \$17,889.32, with post judgment interest accruing from the date of the Judgment pursuant to Chapter 28 of the United States Code, Section 1961. Also filed as aforesaid is the affidavit of the judgment creditors setting forth the name and last known address of the judgment debtor and the same information for the judgment creditors. Copies of the filed judgment and

affidavit are attached.

s/ Paul T. Berkowitz

PAUL T. BERKOWITZ

Attorney for Judgment Creditors

PAUL T. BERKOWITZ &
ASSOCIATES, LTD.
Suite 600
123 West Madison Street
Chicago, Illinois 60602
(312) 419-0001
(312) 419-0002 FAX

CERTIFICATE OF SERVICE

The undersigned served the foregoing document upon:

Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

Myron Janyk, Reg. Agent
Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

at their respective addresses by depositing copies of same, with proper first class postage affixed,
in the United States Mail on June 24, 2008.

s/ Thomas E. Moss

PAUL T. BERKOWITZ &
ASSOCIATES, LTD.
Suite 600
123 West Madison Street
Chicago, Illinois 60602
(312) 419-0001
(312) 419-0002 FAX

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY 08 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

JOHN FLYNN, et al.,

Plaintiffs,

v.

JANYK TILE & MARBLE, INC.,

Defendant.

Civil Action No. 07-1416 (HHK)

FILED: JUNE 24, 2008

08CV3616

JUDGE GETTLEMAN

MAGISTRATE JUDGE NOLAN

LI

JUDGMENT

The Summons and Complaint in this action having been duly served on the above-named Defendant on February 11, 2008 and February 26, 2008, and the time for said Defendant to appear and defend herein having expired, and Defendant not having filed an Answer, and the Clerk having entered default, and the Plaintiffs having filed a declaration of a total amount due of \$17,889.32 and Plaintiffs having moved for entry of judgment by default in that amount, it is hereby

ORDERED, ADJUDGED, AND DECREED that the final judgment in favor of Plaintiffs and against Defendant is hereby granted and ordered entered as the judgment in this action as follows:

1. That Plaintiffs John Flynn, James Boland, Gerald O'Malley, Ken Lambert, Gerard Scarano, H. J. Bramlett, Eugene George, Paul Songer, Charles Verlado, Matthew Aquiline, Gregory R. Hess, Michael Schmerbeck, Vincent Delazzero, and Benjamin Capp, all of whom are Trustees of, and sue on behalf of, the Bricklayers & Trowel Trades International Pension Fund ("IPF"), 620 F Street N.W., 7th Floor, Washington, DC 20004, and Jim Allen,

**ECF
DOCUMENT**

I hereby attest and certify that this is a printed copy
of a document which was electronically filed with the
United States District Court for the District of Columbia.

Date Filed: 5-8-08

2416323

NANCY MAYER WHITTINGTON, CLERK
By: Michael Darby 6-12-08

Matthew Aquiline, Lon Best, James Boland, Ted Champ, Raymond Chapman, Vincent Delazzero, Bruce Dexter, John Flynn, Eugene George, Gregory Hess, Fred Kinatader, Dan Kwiatkowski, Ken Lambert, Santo Lanzafame, Dick Lauber, William McConnell, Edward Navarro, Gerald O'Malley, John Phillips, Charles Raso, Mark Rose, Kevin Ryan, Gerard Scarano, Michael Schmerbeck, Paul Songer, Joseph Speranza and Fred Vautour, all of whom are Trustees of, and sue on behalf of, the International Masonry Institute ("IMI") recover from Defendant, Janyk Tile & Marble, Inc., 3242 North Pulaski Road, Chicago, IL 60641, the amount due of \$17,889.32;

2. That Janyk Tile & Marble, Inc. be directed to submit all monthly reports and contributions that may come due the Plaintiffs subsequent to the filing of this judgment;

3. That Janyk Tile & Marble, Inc., comply with its obligations to make timely and full contributions to the IPF; and

4. That said judgment is without prejudice to the right of Plaintiffs to seek recovery of any past or future delinquencies, interest, damages and reasonable attorney's fees and costs that may be owing to the Plaintiffs from Janyk Tile & Marble, Inc.

ORDERED, ADJUDGED AND DECREED that Plaintiffs have execution therefor.

Dated: May 2, 2008

Henry H. Kennedy, Jr.
Henry H. Kennedy
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**JOHN FLYNN, JAMES BOLAND, GERALD O'MALLEY)
KEN LAMBERT, GERALD SCARANO, H.J. BRAMLETT,)
EUGENE GEORGE, PAUL SONGER, CHARLES VELARDO,)
MATTHEW AQUILINE, GREGORY R. HESS, MICHAEL)
SCHMERBECK, VINCENT DELAZZERO AND BENJAMIN)
CAPP, as Trustees of, and on behalf of, the BRICKLAYERS &)
TROWEL TRADES INTERNATIONAL PENSION FUND, and) CASE NO.
JIM ALLEN, MATTHEW AQUILINE, LON BEST, JAMES)
BOLAND, TED CHAMP, RAYMOND CHAPMAN, VINCENT)
DELAZZERO, BRUCE DEXTER, JOHN FLYNN, EUGENE)
GEORGE, GREGORY HESS, FRED KINATEDER, DAN)
KWIATKOWSKI, KEN LAMBERT, SANTO LANZAFAME,)
DICK LAUBER, WILLIAM MCCONNELL, EDWARD)
NAVARRO, GERALD O'MALLEY, JOHN PHILLIPS,)
CHARLES RASO, MARK ROSE, KEVIN RYAN, GERARD)
SCARANO, MICHAEL SCHMERBECK, PAUL SONGER,)
JOSEPH SPERANZA, and FRED VAUTOUR, as Trustees of, and)
on behalf of, the INTERNATIONAL MASONRY INSTITUTE,)**

Plaintiffs,

vs.

JANYK TILE & MARBLE, INC.

Defendant.

FILED: JUNE 24, 2008

LI

08CV3616

JUDGE GETTLEMAN

MAGISTRATE JUDGE NOLAN

AFFIDAVIT AND CERTIFICATION OF PLAINTIFFS

Paul T. Berkowitz states, certifies and attests as follows:

My name is Paul T. Berkowitz of **PAUL T. BERKOWITZ & ASSOCIATES, LTD.** I
am the attorney for, and a duly authorized agent of, the named Plaintiffs and Judgment Creditors.

1. The address for the named Plaintiffs/Judgment Creditors is as follows:

- a. Bricklayers & Trowel Trades International Pension Fund
620 F Street, N.W.
Washington, D.C. 20004

b. International Masonry Institute
620 F Street, N.W.
Washington, D.C. 20004

2. The Plaintiffs' attorneys are:

Paul T. Berkowitz and Thomas E. Moss
Paul T. Berkowitz & Associates, Ltd.
123 West Madison Street
Suite 600
Chicago, Illinois 60602
(312) 419-0001
(312) 419-0002 FAX

3. The Defendant's/Judgment Debtor's last known address is:

Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

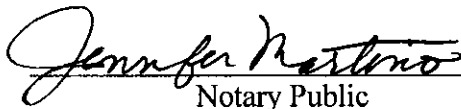
**BRICKLAYERS & TROWEL TRADES
INTERNATIONAL PENSION FUND, ET AL.**

By: 

One of Their Attorneys

SUBSCRIBED AND SWORN TO before me

this 24 day of June, 2008.


Notary Public



PAUL T. BERKOWITZ &
ASSOCIATES, LTD.
Suite 600,
123 West Madison Street
Chicago, Illinois 60602
(312) 419-0001
(312) 419-0002 FAX

CERTIFICATE OF SERVICE

The undersigned served the foregoing document upon:

Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

Myron Janyk, Reg. Agent
Janyk Tile & Marble, Inc.
3242 N. Pulaski Road
Chicago, Illinois 60641

at their respective addresses by depositing copies of same, with proper first class postage affixed,
in the United States Mail on June 24, 2008.

s/ Thomas E. Moss

PAUL T. BERKOWITZ &
ASSOCIATES, LTD.
Suite 600
123 West Madison Street
Chicago, Illinois 60602
(312) 419-0001
(312) 419-0002 FAX